## No. 83

## **MICHIGAN SENATE**

## DAILY CALENDAR

WEDNESDAY, NOVEMBER 28, 2001 10:00 a.m.

#### MOTIONS

# (Consideration postponed until Wednesday, January 30, 2002.)

SB 9 Sen. Peters

Natural resources; gas and oil; drilling for oil and gas underneath the Great Lakes; prohibit.

Amends secs. 502, 32503 & 33938 of 1994 PA 451 (MCL 324.502 et seq.) & adds sec. 61505a.

Motion to discharge Committee on Natural Resources and Environmental Affairs pending.

#### MESSAGES FROM THE HOUSE

\_\_\_\_\_ 2 \_\_\_\_

SB 494 Sen. Bullard

Insurance; other; certain provisions regarding sureties; epeal.

Repeals 1895 PA 266 (MCL 550.101 - 550.109).

I.E. House, October 30, 2001.

Returned from House with substitute (H-1), Wednesday, October 31; laid over under the rules.

Committee recommended I.E.

#### CONFERENCE REPORTS

\_\_\_\_\_ 3 \_\_\_\_

#### **SJR D** Sen. McCotter

State; employees and officers; adoption of state officers compensation commission recommendation for next legislative session; require legislature approval.

Amends sec. 12, art. IV of the state constitution.

Conference report received in the Senate, Wednesday, October 24; laid over under the rules.

For text of conference report, see Senate Journal No. 74, page 1873.

Adoption pending.

#### THIRD READING OF BILLS

\_\_\_\_\_ 4 \_\_\_\_

SB 503 Sen. Garcia

Financial institutions; other; regulation of deferred presentment service transaction; provide for.

Creates new act.

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-7).

For Senate amendment, see Senate Journal No. 73, page 1852.

Committee recommended I.E.

5

SB 674 Sen. Bullard

Insurance; insurers; self-evaluative insurance audit privilege; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 221.

Reported by Committee on Financial Services.

Senate substitute (S-1).

Committee recommended I.E.

6

SB 486 Sen. Hammerstrom

Single business tax; deductions; addback of royalties related to food service establishments; revise.

Amends sec. 9 of 1975 PA 228 (MCL 208.9).

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

7

SB 356 Sen. McManus

Property tax; payment and collection; collection date of certain special assessments for townships; permit collection in July.

Amends sec. 1 of 1951 PA 33 (MCL 41.801).

Reported by Committee on Finance.

For Senate amendment, see Senate Journal No. 82, page 2115.

#### THIRD READING OF BILLS

<del>-----</del> 8 <del>------</del>

#### SB 535 Sen. Stille

Cemeteries and funerals; other; procedure for acquisition of certain cemeteries by municipal corporations; revise.

Amends title & secs. 1, 2, 3 & 4 of 1927 PA 10 (MCL 456.181 et seq.).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

9

#### SB 794 Sen. Schwarz

Records; birth; live birth records over 100 years old; allow any person to obtain a certified copy from the state registrar or a local registrar.

Amends sec. 2882 of 1978 PA 368 (MCL 333.2882).

Reported by Committee on Health Policy. Committee recommended I.E.

\_\_\_\_ 10 \_\_\_\_

#### SB 534 Sen. Stille

Cemeteries and funerals; other; sale of cemetery assets under certain circumstances; allow.

Amends sec. 9 of 1968 PA 251 (MCL 456.529).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

#### SB 543 Sen. Bennett

Liens; garage keepers; garage keeper's lien act; clarify certain procedures.

Amends secs. 2, 3, 4, 5 & 6 of 1915 PA 312 (MCL 570.302 et seq.) & adds sec. 10.

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Committee recommended I.E.

#### SB 541 Sen. North

Aeronautics; other; general amendments; provide for. Amends secs. 2, 3, 4, 5, 6, 7, 8, 9, 51, 83, 86, 87, 89, 133, 151 & 205 of 1945 PA 327 (MCL 259.2 et seq.); adds secs. 80g, 80h, 83a, 83b, 87a, 89a, 205a & 205b & repeals secs. 10, 10a, 11, 14a, 15, 15a, 15b, 16, 17, 17a, 17b, 18, 19, 20, 20a, 20a[1], 20b, 20c, 20d, 21, 21a, 21b, 21c, 22, 23, 24, 24a, 24b, 25, 25a, 25a[1], 25b, 25c, 25d, 25e, 86a, 86b & 86c of 1945 PA 327 (MCL 259.10 et seq.).

Reported by Committee on Transportation and Tourism. For Senate amendments, see Senate Journal No. 82, page 2115.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_\_

#### SB 615 Sen. Garcia

Highways; name; renaming a certain portion of US-127; establish as the "Gary Priess Memorial Highway".

Creates new act.

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_ 14 \_\_\_\_\_

#### SB 685 Sen. McCotter

Highways; name; portion of I-94 in Battle Creek; designate as the "94th Combat Infantry Division Memorial Highway".

Creates new act.

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 15 \_\_\_\_\_

#### SB 705 Sen. Schuette

Highways; name; renaming a certain portion of US-10; designate as the "Veterans Memorial Highway".

Creates new act.

Reported by Committee on Transportation and Tourism. Senate substitute (S-1).

Committee recommended I.E.

#### SB 811 Sen. Bullard

Transportation; other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow.

Amends sec. 2 of 1941 PA 205 (MCL 252.52).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

\_\_\_\_ 17 \_\_\_\_\_

#### SB 812 Sen. Bullard

Transportation; other; use of rights-of-way, structures, welcome centers, and rest stops for commercial intelligent transportation system applications; allow.

Amends sec. 13 of 1925 PA 368 (MCL 247.183) & adds sec. 1a.

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

\_\_\_\_\_ 18 \_\_\_\_\_

#### SB 813 Sen. Bullard

Transportation; other; administrative board limits for contracting; revise.

Amends sec. 2 of 1925 PA 17 (MCL 250.62).

Reported by Committee on Transportation and Tourism. Committee recommended I.E.

\_\_\_\_ 19 \_\_\_\_\_

#### **HB** 5013 Rep. DeRossett

Natural resources; other; programs for implementation of conservation practices; provide for.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding pt. 82.

I.E. House, October 24, 2001.

House substitute (H-3).

Reported by Committee on Farming, Agribusiness and Food Systems.

#### THIRD READING OF BILLS

\_\_\_\_ 20 \_\_\_\_\_

#### **HB** 4617 Rep. Bradstreet

Education; building use; operation of child care centers by public schools; clarify regulation of.

Amends sec. 1285a of 1976 PA 451 (MCL 380.1285a).

I.E. House, May 9, 2001.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-4).

Committee recommended I.E.

\_\_\_\_ 21 \_\_\_\_\_

#### HB 4619 Rep. Voorhees

Children; child care; certain before- and after-school programs operated by public schools; exclude from child care licensing.

Amends sec. 1 of 1973 PA 116 (MCL 722.111).

I.E. House, May 9, 2001.

House substitute (H-1).

Reported by Committee on Families, Mental Health and Human Services.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 22 \_\_\_\_\_

#### HB 4448 Rep. Richner

Civil procedure; civil actions; judgment of interest applicable to a written instrument evidencing indebtedness that bears an interest rate on which judgments of interest are allowed; clarify.

Amends sec. 6013 of 1961 PA 236 (MCL 600.6013).

I.E. House, May 24, 2001.

House substitute (H-2).

Reported by Committee on Judiciary.

Committee recommended I.E.

#### GENERAL ORDERS

\_\_\_\_\_ 23 \_\_\_\_\_

#### HB 4698 Rep. Allen

Economic development; brownfield redevelopment authority; work plan approval; establish criteria.

Amends sec. 15 of 1996 PA 381 (MCL 125.2665).

I.E. House, May 24, 2001.

House substitute (H-2).

Reported by Committee on Economic Development, International Trade and Regulatory Affairs.

Senate substitute (S-1).

Committee recommended I.E.

#### SB 554 Sen. Johnson

Mental health; code; definition of regional entity; add. Amends sec. 100c of 1974 PA 258 (MCL 330.1100c).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

#### **GENERAL ORDERS**

\_\_\_\_ 25 \_\_\_\_\_

#### SB 555 Sen. Hammerstrom

Mental health; code; certain shared risk of state funds; provide for.

Amends 1974 PA 258 (MCL 330.1001 - 330.2106) by adding sec. 204b.

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

\_\_\_\_\_ 26 \_\_\_\_\_

## SB 556 Sen. Johnson

Mental health; community mental health; risk and cost sharing; allow under certain circumstances.

Amends sec. 226 of 1974 PA 258 (MCL 330.1226).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

\_\_\_\_\_ 27 \_\_\_\_\_

#### **SB** 557 Sen. Hammerstrom

Mental health; code; conflict of interest provisions; exempt individuals under certain circumstances.

Amends sec. 222 of 1974 PA 258 (MCL 330.1222).

Reported by Committee on Families, Mental Health and Human Services.

Committee recommended I.E.

\_\_\_\_\_ 28 \_\_\_\_\_

#### SB 750 Sen. Gast

State; funds; budget stabilization fund withdrawal; allow. Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

Reported by Committee on Appropriations.

For Senate amendment, see Senate Journal No. 76, page 1910.

Committee recommended I.E.

\_\_\_\_\_ 29 \_\_\_\_\_\_

#### SB 213 Sen. Johnson

Education; teachers; employment of substitute teachers; allow school districts to contract for.

Amends secs. 1231 & 1236 of 1976 PA 451 (MCL 380.1231 & 380.1236) & adds sec. 1236a.

Reported by Committee on Education.

Committee recommended I.E.

\_\_\_\_ 30 \_\_\_\_\_

#### SB 477 Sen. Garcia

Use tax; rate; determination of certain taxable telephone, telegraph, or leased wire communications; allow for department to set.

Amends sec. 3a of 1937 PA 94 (MCL 205.93a).

Reported by Committee on Finance.

Senate substitute (S-2).

#### **GENERAL ORDERS**

\_\_\_\_ 31 \_\_\_\_\_

#### SB 438 Sen. Steil

Education; board members; school elections; require to be held with general election, make other revisions in school elections, and repeal certain election provisions in school code.

Amends secs. 4, 5, 6, 11a, 503, 613, 616, 617, 661, 681, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722 & 1732 of 1976 PA 451 (MCL 380.4 et seq.); adds secs. 629a, 1206 & 1351c & repeals sec. 662 & pts. 12 - 14 of 1976 PA 451 (MCL 380.662 & 380.1001 - 380.1106).

Reported by Committee on Government Operations. Senate substitute (S-1).

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### SB 439 Sen. Hammerstrom

Elections; other; number of election days per year; limit and provide other general amendments.

Amends 1954 PA 116 (MCL 168.1 - 168.992) by adding sec. 644.

Reported by Committee on Government Operations. Senate substitute (S-1).

\_\_\_\_ 33 \_\_\_\_

#### SB 440 Sen. Steil

Elections; school; chapter in election law regulating school elections; create and provide other general amendments.

Amends secs. 3, 321, 322, 358a, 370, 381, 382, 538, 635, 644b, 644c, 644e, 644g, 646a, 963 & 971 of 1954 PA 116 (MCL 168.3 et seq.); adds secs. 17 & 643b & ch. XIV & repeals secs. 4, 5, 325, 348, 639, 640, 644j - 646 & 646b of 1954 PA 116 (MCL 168.4 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-2).

— 34 ——

#### SB 441 Sen. McManus

Elections; local; election consolidation; provide for home rule cities elections.

Amends secs. 3, 8, 11, 21, 25 & 26 of 1909 PA 279 (MCL 117.3 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

<del>\_\_\_\_ 35 \_\_\_\_\_</del>

#### SB 442 Sen. McManus

Elections; local; election consolidation; provide for home rule village elections.

Amends secs. 4, 7, 21 & 23 of 1909 PA 278 (MCL 78.4 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

<del>\_\_\_\_</del> 36 <del>\_\_\_\_</del>

#### SB 443 Sen. McManus

Elections; local; election consolidation; provide for general law village elections.

Amends secs. 1, 5 & 13, ch. II, secs. 1, 2, 3 & 7, ch. III, sec. 23, ch. IX, sec. 3, ch. XII & sec. 18a, ch. XIV of 1895 PA 3 (MCL 62.1 et seq.).

Reported by Committee on Government Operations. Senate substitute (S-1).

#### **GENERAL ORDERS**

— 37 ———

#### SB 444 Sen. Bennett

Higher education; community colleges; scheduling, conducting, and canvassing of community college elections; revise procedures.

Amends secs. 2, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144 & 152 of 1966 PA 331 (MCL 389.2 et seq.) & repeals secs. 20, 40 & 60 of 1966 PA 331 (MCL 389.20 et seq.).

Reported by Committee on Government Operations.

— 38 ——

#### SB 760 Sen. Bennett

Elections; school; consolidation of school elections and general elections; provide for in election law.

Amends secs. 30a, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 544c, 644k, 690, 862, 863, 954 & 972 of 1954 PA 116 (MCL 168.30a et seq.) & repeals sec. 758c of 1954 PA 116 (MCL 168.758c).

Reported by Committee on Government Operations.

**—** 39 **—** 

#### HB 4647 Rep. Ehardt

Occupations; individual licensing and regulation; respiratory therapists; provide for registration and title protection.

Amends secs. 16186 & 16263 of 1978 PA 368 (MCL 333.16186 & 333.16263) & adds sec. 16338 & pt. 186.

I.E. House, July 11, 2001.

House substitute (H-3).

Reported by Committee on Health Policy.

Senate substitute (S-1).

Committee recommended I.E.

**—** 40 **—** 

#### HB 5146 Rep. Voorhees

Health facilities; nursing homes; clinical process guidelines for nursing home surveyors; establish.

Amends sec. 20155 of 1978 PA 368 (MCL 333.20155).

I.E. House, October 31, 2001.

House substitute (H-2).

Reported by Committee on Health Policy.

Committee recommended I.E.

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#### SB 692 Sen. Hammerstrom

Land use; farmland and open space; agricultural conservation easement or purchase of development rights; provide that entry into automatically terminates development rights agreement without lien and entitles landowner to tax credit.

Amends secs. 36105, 36106, 36109, 36111 & 36206 of 1994 PA 451 (MCL 324.36105 et seq.).

Reported by Committee on Farming, Agribusiness and Food Systems.

Committee recommended I.E.

## HB 5091 Rep. Ehardt

State; buildings; display of national motto "In God We Trust" in public buildings; allow.

Creates new act.

I.E. House, October 17, 2001.

Reported by Committee on Local, Urban and State Affairs.

Senate substitute (S-4).

#### **GENERAL ORDERS**

#### **HB** 5341 Rep. Bradstreet

Legislature; other; arrest powers for house and senate sergeants; provide for.

Creates new act.

I.E. House, November 1, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

44

## HB 5342 Rep. Julian

Law enforcement; training; certain commissioned sergeants at arms; exempt from certain certification requirements of commission on law enforcement standards act.

Amends sec. 2 of 1965 PA 203 (MCL 28.602).

I.E. House, November 1, 2001.

House substitute (H-1).

Reported by Committee on Judiciary.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 45 \_\_\_\_\_

#### SB 358 Sen. Hammerstrom

Construction; public buildings; construction of schools; require to be under construction code and to be subjected to all necessary inspections.

Amends sec. 1 of 1937 PA 306 (MCL 388.851) & adds sec. 1b.

Reported by Committee on Human Resources and Labor.

Senate substitute (S-2).

Committee recommended I.E.

#### SB 644 Sen. Steil

Employment security; benefits; coverage for federally recognized Indian tribes; expand act to include.

Amends secs. 41 & 42 of 1936 (Ex Sess) PA 1 (MCL 421.41 & 421.42) & adds sec. 13*l*.

Reported by Committee on Human Resources and Labor.

Senate substitute (S-4).

Committee recommended I.E.

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#### **SB** 670 Sen. Hammerstrom

Construction; other; liability for certain construction projects; clarify.

Amends sec. 2 of 1937 PA 306 (MCL 388.852).

Reported by Committee on Human Resources and Labor.

Senate substitute (S-2).

Committee recommended I.E.

#### **GENERAL ORDERS**

#### **HB 5026** Rep. Vear

Weapons; firearms; transportation requirements for certain firearms; clarify.

Amends sec. 231a of 1931 PA 328 (MCL 750.231a).

I.E. House, October 31, 2001.

House substitute (H-2).

Reported by Committee on Hunting, Fishing and Forestry.

Senate substitute (S-1).

Committee recommended I.E.

#### RESOLUTIONS

#### SCR 11 Sen. Stille

A concurrent resolution to establish a special joint committee to evaluate the Michigan State Fairgrounds and the pending sale of adjacent property.

Returned from House with substitute (H-1), Wednesday, May 9; laid over under the rules.

For text of resolution, see Senate Journal No. 27, page 296.

#### **COMMITTEE REPORTS**

\_\_\_\_ 50 \_\_\_\_\_

SB 819 Sen. Sikkema

Natural resources; soil; soil erosion and sedimentation control; allow universities to administer on campus.

Amends sec. 9101 of 1994 PA 451 (MCL 324.9101).

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

#### **SCHEDULED MEETINGS**

**Appropriations -** Wednesday, November 28, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

#### **Subcommittee -**

**Community Health -** Thursdays, November 29, December 6, and December 13; and Tuesdays, December 4 and December 11, 1:30 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower (373-1777)

**Economic Development, International Trade and Regulatory Affairs -** Monday, December 3, 10:00 a.m., Detroit Regional Chamber of Commerce Offices, 1 Woodward Avenue, Suite 1900, Detroit (373-7946)

#### SCHEDULED MEETINGS

**Education -** Wednesday, November 28, 1:00 p.m., 8th Floor Conference Room, Farnum Building (373-7350)

**Financial Services -** Wednesday, November 28, 9:30 a.m., Room 100, Farnum Building (373-1758)

**Government Operations -** Thursday, November 29, 1:00 p.m., Room 110, Farnum Building (373-1707)

#### SCHEDULED MEETINGS

**Judiciary** - Wednesday, November 28, 1:00 p.m., Rooms 402 and 403, Capitol Building (373-6920)

**Local, Urban and State Affairs -** Wednesday, November 28, 3:00 p.m., Room 405, Capitol Building (373-1707)

#### **BILLS IN CONFERENCE** Report Agreed to **Conferees** Senate Bill No. **Brief Title** Senate House House SJR D State; employees and officers; adoption of Patterson McCotter SOCC recommendation for next legislative Sikkema Bisbee session; require legislature approval. Leland Jacobs